

## **MINUTES**

### **MONTANA HOUSE OF REPRESENTATIVES 56th LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON BUSINESS AND LABOR**

**Call to Order:** By **CHAIRMAN BRUCE SIMON**, on January 27, 1999 at 8:00 A.M., in Room 104 Capitol.

#### **ROLL CALL**

##### **Members Present:**

Rep. Bruce Simon, Chairman (R)  
Rep. Bob Pavlovich, Vice Chairman (D)  
Rep. Paul Sliter, Vice Chairman (R)  
Rep. Joe Barnett (R)  
Rep. Rod Bitney (R)  
Rep. Sylvia Bookout-Reinicke (R)  
Rep. Roy Brown (R)  
Rep. David Ewer (D)  
Rep. Carol C. Juneau (D)  
Rep. Billie Krenzler (D)  
Rep. Bob Lawson (R)  
Rep. Gay Ann Masolo (R)  
Rep. Gary Matthews (D)  
Rep. Joe McKenney (R)  
Rep. Carolyn Squires (D)  
Rep. Jay Stovall (R)  
Rep. Cliff Trexler (R)  
Rep. Carley Tuss (D)

**Members Excused:** None.

**Members Absent:** None.

**Staff Present:** Stephen Maly, Legislative Branch  
Pati O'Reilly, Committee Secretary

**Please Note:** These are summary minutes. Testimony and discussion are paraphrased and condensed.

##### **Committee Business Summary:**

Hearing(s) & Date(s) Posted: HB 337 (1/21/99), HB 353, HB 354, HB 355, HB 364, 1/25/1999  
Executive Action: HB 353

EXECUTIVE ACTION ON HB 353

**Motion/Vote:** REP. SLITER moved that HB 353 BE TABLED. Motion carried unanimously.

*{Tape : 1; Side : A; Approx. Time Counter : 0 - 23}*

HEARING ON HB 355

**Opening Statement by Sponsor:** Rep. Taylor, HD 5 introduced HB 355. **EXHIBIT**(buh21a01)

*{Tape : 1; Side : A; Approx. Time Counter : 23 - 141}*

**Proponents' Testimony:**

Mark Fix, rancher from Miles City **EXHIBIT**(buh21a02)  
**EXHIBIT**(buh21a03)

*{Tape : 1; Side : A; Approx. Time Counter : 141 - 256}*

Art Haynes, Birney, MT **EXHIBIT**(buh21a04)

*{Tape : 1; Side : A; Approx. Time Counter : 256 - 267}*

John Allen, Pres. Custer Co. Farm Bureau

*{Tape : 1; Side : A; Approx. Time Counter : 267 - 297}*

John Youngberg, Montana Farm Bureau

*{Tape : 1; Side : A; Approx. Time Counter : 297 - 310}*

Bill Boulvione, Miles City, MT

*{Tape : 1; Side : A; Approx. Time Counter : 310 - 354}*

Kay McCloy, Pompey's Pillar **EXHIBIT**(buh21a05)

*{Tape : 1; Side : A; Approx. Time Counter : 354 - 404}*

Ron de Young, Montana Farmers Union

*{Tape : 1; Side : A; Approx. Time Counter : 404 - 411}*

Dena Hoff, Northern Plains Resource Council

*{Tape : 1; Side : A; Approx. Time Counter : 411 - 416}*

Rep. Marian Hanson,

*{Tape : 1; Side : A; Approx. Time Counter : 416 - 430}*

Tim Lohof, Birney, MT

*{Tape : 1; Side : A; Approx. Time Counter : 430 - 446}*

Sen. Bill Glazer, Billings, MT

**{Tape : 1; Side : A; Approx. Time Counter : 446 - 478}**

Larry Myren, BNSF

**{Tape : 1; Side : A; Approx. Time Counter : 478 - 502}**

Don Judge, AFL-CIO

**{Tape : 1; Side : B; Approx. Time Counter : 0 - 7}**

Gerhardt Helms, rancher

**{Tape : 1; Side : B; Approx. Time Counter : 7 - 30}**

**Opponents' Testimony:**

John Alke, Montana Dakota Utilities, Williston Basin Pipeline

**EXHIBIT** (buh21a06)

**{Tape : 1; Side : B; Approx. Time Counter : 30 - 76}**

Tom Ebzery, attorney for tongue River RR

**{Tape : 1; Side : B; Approx. Time Counter : 76 - 191}**

Gail Abercrombie, Montana Petroleum Assn.

**{Tape : 1; Side : B; Approx. Time Counter : 191 - 233}**

Don Sterhas, Tongue River RR **EXHIBIT** (buh21a07) **EXHIBIT** (buh21a08)

**{Tape : 1; Side : B; Approx. Time Counter : 233 - 360}**

Chris Gallus, Montana Chamber of Commerce

**{Tape : 1; Side : B; Approx. Time Counter : 360 - 372}**

Jay Nance, Birney MT rancher

**{Tape : 1; Side : B; Approx. Time Counter : 372 - 482}**

Barbara Ranf, U S West

**{Tape : 1; Side : B; Approx. Time Counter : 482 - 492}**

Don Walker, Billings, MT

**{Tape : 1; Side : B; Approx. Time Counter : 492 - 500}**

**Questions from Committee Members and Responses:**

Rep. Ewer, Matthews, Masolo, Bitney, Bookout Stovall, Sliter and Simon questions Ebzery, McCloy, Clinch, Sterhas, and Fix.

**{Tape : 2; Side : A; Approx. Time Counter : 0 - 340}**

**Closing by Sponsor:** Rep. Lila Taylor closed HB 355.

**{Tape : 2; Side : A; Approx. Time Counter : 340 - 441}**

HEARING ON HB 354

Opening Statement by Sponsor: Rep. Lindeen, HD 7 introduced HB 354. **EXHIBIT**(buh21a09)

*{Tape : 2; Side : A; Approx. Time Counter : 441 - 500}*

*{Tape : 2; Side : B; Approx. Time Counter : 0 - 48}*

Proponents' Testimony:

Mike Fix, rancher **EXHIBIT**(buh21a10)

*{Tape : 2; Side : B; Approx. Time Counter : 48 - 51}*

Mrs. McCloy, Pompey's Pillar

*{Tape : 2; Side : B; Approx. Time Counter : 51 - 64}*

Sen. Bill Glazer

*{Tape : 2; Side : B; Approx. Time Counter : 64 - 78}*

Dena Hoff, Northern Plains Resource Council

*{Tape : 2; Side : B; Approx. Time Counter : 78 - 85}*

Art Haynes, Birney rancher

*{Tape : 2; Side : B; Approx. Time Counter : 85 - 90}*

Bill Boulvione, Miles City

*{Tape : 2; Side : B; Approx. Time Counter : 90 - 111}*

Ron de Young, Montana Farmers Union

*{Tape : 2; Side : B; Approx. Time Counter : 111 - 117}*

Rep. Sylvia Bookout

*{Tape : 2; Side : B; Approx. Time Counter : 117 - 128}*

Opponents' Testimony:

Gail Abercrombie, Montana Petroleum Assn.

*{Tape : 2; Side : B; Approx. Time Counter : 128 - 182}*

Leo Berry, Helena attorney BNSF

*{Tape : 2; Side : B; Approx. Time Counter : 182 - 248}*

John Alke, Montana Dakota Utilities, Williston Basin Pipeline

*{Tape : 2; Side : B; Approx. Time Counter : 248 - 323}*

Dan Kinepper, Pres of Cenex pipeline

**{Tape : 2; Side : B; Approx. Time Counter : 323 - 380}**

Gene Fenderson, Montana Joint Heavy Equipment and Hiways Assn.

**{Tape : 2; Side : B; Approx. Time Counter : 380 - 408}**

Tom Ebzery, attorney, Tongue River RR **EXHIBIT**(buh21a11)

**{Tape : 2; Side : B; Approx. Time Counter : 408 - 440}**

Chris Gallus, Montana Chamber of Commerce

**{Tape : 2; Side : B; Approx. Time Counter : 440 - 460}**

Steve Pilcher, Express Pipeline

**{Tape : 2; Side : B; Approx. Time Counter : 460 - 475}**

Don Allen, Western Environmental Trade Assn.

**{Tape : 2; Side : B; Approx. Time Counter : 475 - 487}**

Mike Lake, Montana Power Co.

**{Tape : 2; Side : B; Approx. Time Counter : 487 - 500}**

**Questions from Committee Members and Responses:**

Reps. Ewer, Sliter, Krenzler, Bookout, McKenney, and Simon questions witnesses.

**{Tape : 3; Side : A; Approx. Time Counter : 0 - 211}**

**Closing by Sponsor:** Rep. Lindeen closed HB 354.

**{Tape : 3; Side : A; Approx. Time Counter : 211 - 255}**

**HEARING ON HB 364**

**Opening Statement by Sponsor:** Rep. Lindeen, HD 7, introduced HB 364.

**{Tape : 3; Side : A; Approx. Time Counter : 255 - 324}**

**Proponents' Testimony:**

Roger Campbell, Plywood Plant, Libby MT **EXHIBIT**(buh21a12)

**{Tape : 3; Side : A; Approx. Time Counter : 324 - 378}**

Kathy Labenger, CNA, Fairfield MT **EXHIBIT**(buh21a13)

**{Tape : 3; Side : A; Approx. Time Counter : 378 - 500}**

Don Judge, AFL-CIO **EXHIBIT**(buh21a14)

**{Tape : 3; Side : B; Approx. Time Counter : 0 - 29}**

Gene Fenderson, MT Joint Highway and Heavy Equipment Assn.

**{Tape : 3; Side : B; Approx. Time Counter : 29 - 59}**

Christy Schweitzer, Montana Trial Lawyers

**{Tape : 3; Side : B; Approx. Time Counter : 59 - 70}**

Rich Pyfer, Workmans Comp. private attorney

**{Tape : 3; Side : B; Approx. Time Counter : 70 - 133}**

**Opponents' Testimony:**

Nancy Butler, State Fund

**{Tape : 3; Side : B; Approx. Time Counter : 133 - 162}**

George Wood, Montana Self Insurers Assn.

**{Tape : 3; Side : B; Approx. Time Counter : 162 - 222}**

Stuart Doggett, Montana Innkeepers

**{Tape : 3; Side : B; Approx. Time Counter : 222 - 240}**

Ray Barnicott, Montana Association of Counties

**{Tape : 3; Side : B; Approx. Time Counter : 240 - 254}**

**Questions from Committee Members and Responses:**

Rep. Simon and Ewer question Nancy Butler

**{Tape : 3; Side : B; Approx. Time Counter : 254 - 413}**

**Closing by Sponsor:** Rep. Lindeen closed HB 364.

**{Tape : 3; Side : B; Approx. Time Counter : 413 - 500}**

**HEARING ON HB 337**

**Opening Statement by Sponsor:** Rep. Bergsagel, HD 95, introduced HB 337. **EXHIBIT**(buh21a15)

**{Tape : 4; Side : A; Approx. Time Counter : 0 - 32}**

**Proponents' Testimony:**

Bob Anderson, Public Service Commission

**{Tape : 4; Side : A; Approx. Time Counter : 32 - 78}**

Gary Weins, Montana Electric Coop Assn. **EXHIBIT**(buh21a16)

**{Tape : 4; Side : A; Approx. Time Counter : 78 - 120}**

Ed Bartlett, Montana Power Co

**{Tape : 4; Side : A; Approx. Time Counter : 120 - 130}**

John Hines, NW Power Planning Council attorney on behalf of Governor's office.

**{Tape : 4; Side : A; Approx. Time Counter : 130 - 152}**

John Alke, Montana Dakota Utilities **EXHIBIT**(buh21a17)

**{Tape : 4; Side : A; Approx. Time Counter : 152 - 208}**

Debbi Smith, Natural Resources Defense Council

**{Tape : 4; Side : A; Approx. Time Counter : 208 - 282}**

Greg Repper, Energy Share

**{Tape : 4; Side : A; Approx. Time Counter : 282 - 292}**

Bob Brown, Columbia Falls Aluminum Plant

**{Tape : 4; Side : A; Approx. Time Counter : 292 - 303}**

**Opponents' Testimony:**

Jeff Barber, Montana Environmental Information Center

**{Tape : 4; Side : A; Approx. Time Counter : 303 - 339}**

**Questions from Committee Members and Responses:**

Reps. Krenzler, Tuss, Ewer and Simon question Bergsagel and Weins.

**{Tape : 4; Side : A; Approx. Time Counter : 339 - 412}**

**Closing by Sponsor:** Rep. Bergsagel closed on HB 337.

**EXHIBIT**(buh21a18)

**{Tape : 4; Side : A; Approx. Time Counter : 412 - 500}**

**ADJOURNMENT**

Adjournment: 11:45 A.M.

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REP. BRUCE SIMON, Chairman

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PATI O'REILLY, Secretary

BS/PO

**EXHIBIT** (buh21aad)